

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA

v.

WAYNE R. BRYANT and R. MICHAEL  
GALLAGHER

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: Honorable Freda L. Wolfson  
: Criminal No. 07-267 (FLW)  
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**ORDER**

This matter having come before the Court during the telephone status conference on June 6, 2008, Christopher J. Christie, United States Attorney for the District of New Jersey (by William E. Fitzpatrick, Deputy United States Attorney and Norman Gross and Adam S. Lurie, Assistant U.S. Attorneys), and defendants Wayne R. Bryant (by Carl D. Poplar, Esq. and Lisa Mathewson, Esq.) and R. Michael Gallagher (by Jeremy D. Frey, Esq. and Ralph A. Jacobs, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter until September 8, 2008, and the defendants being made aware by counsel that the defendants have the right to have the matter tried within seventy days of the date of the filing date of the Indictment pursuant to Title 18 of the United States Code, Section 3161(c), and the defendants through counsel having requested and consented to the continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. On June 5, 2008, the Court issued a 150 page opinion (the "Opinion") concerning the parties' pre-trial motions, and the defendants have requested more time to consider the Opinion;

2. Defendants have requested more time to consider whether to offer expert testimony at trial;

3. Defendants have requested more time to prepare for a trial they consider complex;

4. Defendants have requested and consented to the aforementioned continuance;

5. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial because of the findings set forth above and because the case is complex making it unreasonable to expect the defendants to adequately prepare for further pretrial proceedings and trial itself within the time limits established by section 3161(c).

WHEREFORE, on this 20<sup>th</sup> day of June, 2008,

IT IS ORDERED that the proceedings in the above captioned matter shall be continued from June 6, 2008 until September 8, 2008 and that this time period shall be excludable in computing time under the Speedy Trial Act of 1974.

IT IS FURTHER ORDERED that:

1. By June 20, 2008, the United States shall file any in limine motions regarding evidence it may offer at trial;

2. By July 28, 2008, and pursuant to Federal Rule of Criminal Procedure 16, the defendants shall give to the United States a written summary of any testimony that the defendants intend to offer at trial under Rules 702, 703, or 705 of the Federal Rules of Evidence;

3. By July 28, 2008, the United States shall comply with paragraph 6 of this Court's Order for Discovery regarding exhibits;

4. By August 8, 2008, the United States shall file its proposed jury instructions; and
5. Trial shall commence on September 8, 2008.

HONORABLE FRED A. WOLFSON

For the United States:

William E. Fitzpatrick  
Deputy United States Attorney  
Norman Gross  
Adam S. Lurie  
Assistant United States Attorneys

For defendant Wayne R. Bryant:

Wayne R. Bryant

Carl D. Poplar, Esq.  
Lisa Mathewson, Esq.

For defendant R. Michael Gallagher:

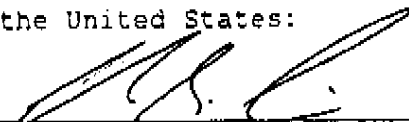
  
R. Michael Gallagher

  
Jeremy D. Frey, Esq.  
Ralph A. Jacobs, Esq.

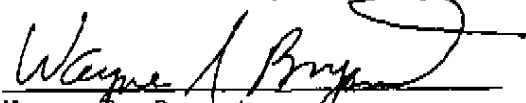
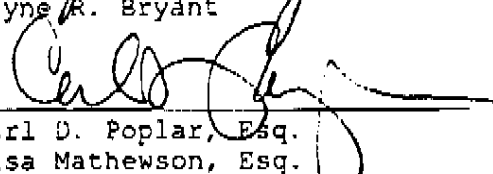
5. Trial shall commence on September 8, 2008.

  
HONORABLE FREDA L. WOLFSON

For the United States:

  
William E. Fitzpatrick  
Deputy United States Attorney  
Norman Gross  
Adam S. Lurie  
Assistant United States Attorneys

For defendant Wayne R. Bryant:

  
Wayne R. Bryant  
  
Carl D. Poplar, Esq.  
Lisa Mathewson, Esq.

For defendant R. Michael Gallagher:

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R. Michael Gallagher

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Jeremy D. Frey, Esq.  
Ralph A. Jacobs, Esq.